

There are a number of interesting pieces of HIPAA information included. Of special interest may be:

- 1) Security Rule and TCS Changes expected Dec. 27?????
- 2) California's draft preemption analysis

As always: Please be sure to note that in some cases the information presented may be the opinion of the original author. We need to be sure to view it in the context of our own organizations and environment. You may need additional information, support, legal opinions and/or decision documentation when interpreting the rules.

My thanks to all the folks who have shared information for this e-news.

Have a great day!!!

Enjoy!!!

Ken

(916-654-2466 if needed)

Several items that may be of interest:

Security Rule and TCS Changes ?????

[hipaa_gives] draft preemption analysis - California

CalOHI PM 2002-12 Preemption Analysis

AHIMA ADVANTAGE E-ALERT Volume 4, Issue 43 - ATTACHMENT

includes an article: New HCPCS codes - 2003

HIPAA Implementation Newsletter -- Issue #45, Nov 1, 2002 - ATTACHMENT

[hipaalert] HIPAAAlert: Special Edition - 11/04/02 - ATTACHMENT

CE's that did not file for extension

[hipaannotes] HIPAAnotes - Vol. 2, No. 42 - Nov. 6, 2002 - ATTACHMENT

HIPAA Summit V Presentations Available; HIPAA Summit VI,

March 26-28, 2003 - ATTACHMENT

***** Security Rule and TCS Changes ????? *****

<<<<<<<<<< Huber, Cheri" <CHUBER@co.napa.ca.us >>>>>>>>

From HIPAA Weekly Advisor 11/11/02:

Final security rule, transactions and code set changes to be published in December

The final security rule and final changes to the transactions and code sets rule will be published in the Federal Register on December 27, 2002, according to the Houston, TX-based law firm, Vinson & Elkins LLP.

HHS Secretary Tommy Thompson recently sent an email to CMS staff projecting the publication date, reports the firm.

A CMS source could not confirm arrival of the message, but did acknowledge that December 27 is the target publication date.

***** [hipaa_gives] draft preemption analysis - California *****

>>> RJacobs1@ohi.ca.gov 11/07/02 07:42AM >>>

The California Office of HIPAA Implementation (CalOHI) has released a draft preemption analysis of the California Confidentiality of Medical Information Act (CMIA) for comment and consensus. The draft analysis is available at the address below - it will take you to our home page and then you click on HIPAA Rules and then on Legal issues and the preemption info will come up.

www.hipaa.ca.gov/

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***** CalOHI PM 2002-12 Preemption Analysis *****

>>> "Hart, Therese (OHI)" <THart@ohi.ca.gov> 11/07/02 03:44PM >>>

Attached please find CalOHI's Policy Memorandum 2002-12, which requests department's HIPAA counsel to review the draft preemption analysis of the Confidentiality of Medical Information Act (CMIA) posed to the CalOHI website (www.ohi.ca.gov)

<<2002-12 policy memo re cmia preemption.doc>>

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***** CE's that did not file for extension *****

>>> David Hartson 11/4/02 8:56:15 AM >>>

Hi Gary,

The CMS web site clearly answers the question (FAQ) "What should a covered entity that did not submit an extension request do now?"

Answer: They should come into compliance as soon as possible, and should be prepared to submit a corrective action plan in the event a complaint is file against them.

Questions: Will these penalties be imposed on all covered entities that did not submit requests?

Answer: No. The process leading to these penalties would be initiated primarily in response to an external complaint filed against a covered entity. Once a complaint is received, the entity will have opportunities to avoid penalties by demonstrating compliance, showing how they will achieve compliance by submitting a corrective action plan, or, for ASCA purposes, showing that they had submitted an extension request. Only when an entity does none of these things would consideration be given to invoking civil monetary penalties or excluding a provider from Medicare.

Thanks.

-Dave